

PTO/SB/31 (09-04)

Approved for use through 07/31/2006. OMB 0531-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 3418						
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 10, 2004.		In re Application of Kemin Zhou						
Signature _____ Typed or printed name <u>Pamela Leong</u>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Application Number 09/683,258</td> <td style="padding: 2px;">Filed December 5, 2001</td> </tr> <tr> <td colspan="2" style="padding: 2px;">For Large Scale Protein Nucleic Acid Interaction Profiling</td> </tr> <tr> <td style="padding: 2px;">Art Unit 1631</td> <td style="padding: 2px;">Examiner Carolyn L. Smith</td> </tr> </table>	Application Number 09/683,258	Filed December 5, 2001	For Large Scale Protein Nucleic Acid Interaction Profiling		Art Unit 1631	Examiner Carolyn L. Smith
Application Number 09/683,258	Filed December 5, 2001							
For Large Scale Protein Nucleic Acid Interaction Profiling								
Art Unit 1631	Examiner Carolyn L. Smith							
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.								
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ <u>340</u>								
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____								
<input type="checkbox"/> A check in the amount of the fee is enclosed.								
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.								
<input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.								
<input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.								
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.								
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.								
I am the _____ <u>Walter R. Block</u> <input type="checkbox"/> applicant/inventor. Signature								
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/66)								
<input checked="" type="checkbox"/> attorney or agent of record. <u>Walter R. Block</u> Registration number <u>50,167</u> . Typed or printed name								
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. <u>408-731-5000</u> Registration number if acting under 37 CFR 1.34. _____ Telephone number								
<u>November 10, 2004</u> Date								
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.								

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.9. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 900

Complete if Known

Application Number	08/683,258
Filing Date	December 5, 2001
First Named Inventor	Kermin Zhou
Examiner Name	Carolyn L. Smith
Art Unit	1631
Attorney Docket No.	3416

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order
☒ Deposit AccountDeposit
Account
Number

01-0431

Deposit
Account
Name

Affymetrix, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1001	790	Utility filing fee	
	1002	350	Design filing fee	
	1003	550	Plant filing fee	
	1004	790	Reissue filing fee	
	1005	160	Provisional filing fee	

SUBTOTAL (1)

(\$0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	<input type="text" value="-20"/>	Extra Claims	<input type="text" value="0"/>	X	Fee from below	<input type="text" value="0"/>	Fee Paid	<input type="text" value="0"/>
Independent Claims	<input type="text" value="-3"/>		<input type="text" value="0"/>	X	<input type="text" value=""/>		<input type="text" value="0"/>	
Multiple Dependent				X	<input type="text" value=""/>		<input type="text" value="0"/>	

Large Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1202	18	Claims in excess of 20	
	1201	68	Independent claims in excess of 3	
	1203	300	Multiple dependent claim, if not paid	
	1204	65	Reissue independent claims over original patent	
	1205	18	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130	Surcharge - late filing fee or oath	
	1052	50	Surcharge - late provisional filing fee or cover sheet	
	1053	130	Non-English specification	
	1812	2,520	For filing a request for ex parte reexamination	
	1804	920*	Requesting publication of SIR prior to Examiner action	
	1805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110	Extension for reply within first month	
	1252	430	Extension for reply within second month	
	1253	890	Extension for reply within third month	550.0
	1254	1,530	Extension for reply within fourth month	
	1255	2,080	Extension for reply within fifth month	
	1401	340	Notice of Appeal	340.0
	1402	340	Filing a brief in support of an appeal	
	1403	300	Request for oral hearing	
	1451	1,510	Petition to institute a public use proceeding	
	1452	110	Petition to revive - unavoidable	
	1453	1,370	Petition to revive - unintentional	
	1501	1,370	Utility issue fee (or reissue)	
	1502	490	Design issue fee	
	1503	660	Plant issue fee	
	1480	130	Petitions to the Commissioner	
	1807	50	Processing fee under 37 CFR 1.17 (r)	
	1806	180	Submission of Information Disclosure Sheet	
	8021	40	Recording each patent assignment per property (times number of properties)	
	1808	790	Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	790	For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	790	Request for Continued Examination (RCE)	
	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$900)

SUBMITTED BY

Name (Print/Type)

Linda R. Block

Registration No. (Attorney/Agent)

50,167

Telephone

408-731-5000

Signature

Linda R. Block

Date

November 10, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-768-9199) and select option 2.